

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY vs. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: U.S. Army Corps of Engineers, Sacramento District

FILE NUMBER: 200500660

REGULATORY PROJECT MANAGER: Andrea Jones DATE: March 2, 2006

PROJECT REVIEW/DETERMINATION COMPLETED: In the Office (y/n) N
At the project site (y/n) Y Date: March 2, 2006

PROJECT LOCATION INFORMATION:

State: California

County: Yuba

Center coordinates of site by latitude a & longitude coordinates: Latitude 039° 01' 42.3", Longitude 121° 34' 14.7"

Approximate size of site/property (including uplands & in acres): 549 acres

Name of waterway or watershed: Clark Slough

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	0.44 ac								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown (Use Best Professional Judgement)		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			Migratory birds may use the drainage ditch habitat.		
Is or would be used as habitat by other migratory birds that cross state lines?			Migratory birds may use the drainage ditch habitat.		
Is or would be used as habitat for endangered species?			The drainage ditches may provide suitable habitat for the giant garter snake.		
Is used to irrigate crops sold in interstate commerce?	x				

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary Or Approved Y

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 - rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 - site information on waters of the U.S. occurring onsite): The 0.44 acres of drainage ditches on the site mapped as Non-Jurisdictional on the August 10, 2005 revised Country Club Estates Wetland Delineation map were constructed in uplands and receive drainage waters from surrounding agricultural fields. Therefore there is no significant hydrologic nexus between the drainage ditches and wetlands and other waters of the United States within the study area.